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MISSOULA, MT  
2006 MAY 1 PM 4 55  
PATRICK E. DUFFY  
BY \_\_\_\_\_  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

GREGORY C. YORK,	)	CV 05-139-M-DWM
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
ENGLAND,	)	
	)	
Defendant.	)	
_____	)	

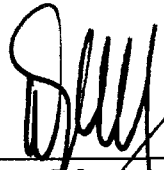
United States Magistrate Judge Erickson entered Findings and Recommendations in this matter on October 6, 2005. Upon review of the Findings and Recommendation I concur with Judge Erickson.

Plaintiff York has applied to proceed *in forma pauperis* under 42 U.S.C. § 1983 (2000). York has filed more than ten complaints in this Court, most of which have been dismissed. Twice, Plaintiff has been advised he is not allowed to file *in forma pauperis* pleadings in this Court. Based on Plaintiff's history in this Court and the fact he has made no showing he is

"under imminent danger of serious physical injury" pursuant to 28 U.S.C. § 1915(g), his motion shall be denied.

Accordingly, IT IS HEREBY ORDERED that I adopt Judge Ostby's Findings and Recommendations in full (dkt #4). Plaintiff's application to proceed *in forma pauperis* is DENIED (dkt #1) and because Plaintiff has not paid the filing fee as ordered, the matter is DISMISSED.

DATED this 1<sup>st</sup> day of May, 2006.

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Donald W. Molloy, Chief Judge  
United States District Court  
